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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
GREENBELT DIVISION**

NGOZI IHEOMA,
3913 Rolling Paddock Drive
Upper Marlboro, MD 20722
Prince George's County

Plaintiff,

– vs –

SILVERMAN THEOLOGOU, LLP,
11200 Rockville Pike #520
North Bethesda, MD 20852
Montgomery County

Defendant.

)
)
) Civil Action No. _____
)
)

) PLAINTIFF'S COMPLAINT FOR
) DAMAGES
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)

) JURY TRIAL REQUESTED
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COMPLAINT

NOW COMES Plaintiff, NGOZI IHEOMA ("Plaintiff"), through her attorneys, hereby
alleges the following against Defendant, SILVERMAN THEOLOGOU, LLP ("Defendant"):

Nature of the Action

1. This action is brought by Plaintiff pursuant to the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 *et seq.* ("FDCPA").

Parties

2. Plaintiff is a natural person residing in Prince George's County, in the City of Upper Marlboro, in the State of Maryland and is otherwise *sui juris*.
3. Plaintiff is allegedly obligated to pay a debt and is a consumer as defined by 15 U.S.C. § 1692a(3).
4. Defendant is a corporation conducting business in the state of Maryland and has its principal place of business in North Bethesda, Maryland.

1 5. Defendant is a debt collector as defined by 15 U.S.C. § 1692a(6), and sought to collect a
2 consumer debt from Plaintiff.

3 6. Defendant acted through its agents, employees, officers, members, directors, heirs,
4 successors, assigns, principals, trustees, sureties, subrogees, representatives and insurers.

5 **Jurisdiction and Venue**

6 7. Jurisdiction of this court arises pursuant to 15 U.S.C. § 1692k(d), which states that such
7 actions may be brought and heard before “any appropriate United States district court
8 without regard to the amount in controversy.”

9 8. Because Defendant conducts business in Maryland, personal jurisdiction is established.

10 9. Venue is proper in the United States District Court for Maryland pursuant to 28 U.S.C. §
11 1391(b) because Plaintiff resides within this District and a substantial part of the events or
12 omissions giving rise to the herein claims occurred within this District.

13 **Factual Allegations**

14 10. On or around September 16, 2019, Defendant’s female representative placed a collection
15 call to Plaintiff seeking and demanding payment for an alleged consumer debt.

16 11. Plaintiff’s alleged debt arises from transactions for personal, family, and household
17 purposes.

18 12. Defendant called Plaintiff’s telephone number at (202) XXX-8594.

19 13. On or around September 16, 2019, Defendant left a voicemail on Plaintiff’s answering
20 machine.

21 14. In the voicemail message, Defendant failed to meaningfully disclose the company’s name,
22 the nature of the call or state that the call was from a debt collector.

23 15. In the voicemail message, Defendant directed Plaintiff to call back telephone number
24 (301) 468-4990, which is a number that belongs to Defendant.

25 16. In the voicemail message, Defendant failed to disclose the purpose of its call was to collect
a debt allegedly owed by Plaintiff.

1 17. On or around September 16, 2019, Plaintiff returned Defendant's phone call and spoke
2 with a female representative. In this conversation Defendant failed to disclose it was a
3 debt collector.

4 18. In the conversation, Defendant also failed to notify Plaintiff of her right to dispute the debt
5 in writing within thirty days. Neither did Defendant notify Plaintiff of this right within
6 five days of September 16, 2019.

7 19. Defendant is engaging in conduct the natural consequence of which is to harass, oppress,
8 and abuse Plaintiff in connection with attempting to collect on a debt by failing to
9 meaningfully disclose its identity in phone calls.

10 20. Defendant is also using false, deceptive and misleading means in connection with
11 attempting to collect a debt by not identifying the purpose of its phone calls or that they
12 are an attempt to collect a debt.

13 **FIRST CAUSE OF ACTION**

14 **DEFENDANT VIOLATED THE FDCPA 15 U.S.C. § 1692 et seq.**

15 21. Plaintiff repeats and incorporates by reference into this cause of action the allegations set
16 forth above at Paragraphs 1-20.

17 22. Defendant's violations of the FDCPA include, but are not limited to, the following:

- 18 a. Defendant violated §1692(d) of the FDCPA by engaging in conduct of which the
19 natural result is the abuse and harassment of the Plaintiff;
- 20 b. Defendant violated §1692(d)(6) of the FDCPA by placing a telephone call without
21 meaningfully disclosing its identity;
- 22 c. Defendant violated §1692(e) of the FDCPA by any other false, deceptive, or
23 misleading representation or means in connection with the debt collection;
- 24 d. Defendant violated §1692(e)(11) of the FDCPA by failing to contain the
25 warning: This is an attempt to collect a debt... communication is from a debt
collector; and

- 1 e. Defendant violated §1692(g)(a) of the FDCPA by failing to inform Plaintiff, in the
2 first communication or within five (5) days, of her ability to dispute the debt and
3 obtain a validation of the debt.

4 **PRAYER FOR RELIEF**

5 **WHEREFORE**, Plaintiff prays that judgment be entered against Defendant for the
6 following:

7 **FIRST CAUSE OF ACTION**

- 8 23. Statutory damages of \$1000.00 pursuant to 15 U.S.C. § 1692k;
9 24. Reasonable attorneys' fees, costs pursuant to 15 U.S.C. § 1692k; and
10 25. Awarding such other and further relief as may be just, proper and equitable.

11 **JURY TRIAL DEMAND**

- 12 26. Plaintiff demands a jury trial on all issues so triable.

13
14 RESPECTFULLY SUBMITTED,

15 Dated: March 25, 2020

16 By: /s/ Anitra Ash-Shakoor
17 Anitra Ash-Shakoor, Esquire
18 (Federal Bar No. 18701)
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